

at 1 o'clock and 7 min. 6 to  
SUE BENTHA, CLERK

Defendants.

CIVIL NO.: CV 04 00559 HG-BMK

Defendants.

CIVIL NO.: CV 04 00570 HG-BMK

TO THE PARTIES HERETO AND TO THEIR COUNSEL OF RECORD:

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Local Rule 56.1 and Federal Rule of Civil Procedure 56(b) and (d), on January 23, 2006 at the hour of 10:30 a.m., or as soon thereafter as counsel may be heard by this Court, located at 300 Ala Moana Blvd., Honolulu, Hawaii, in Courtroom Aha Nonoi of the Honorable Helen Gillmor, MATTHEW ISHAM, individually and as Guardian ad Litem for, HAYDEN ISHAM, a minor and ROXANNE BEST ISHAM (hereinafter referred to as "the Isham Claimants") will move the Court for partial summary judgment in Action No. CV 04-00559.

The motion will be made upon the ground that Matthew Isham cannot be held liable for contributory negligence as a matter of law.

The movants are therefore entitled to partial summary judgment as a matter of law.

This motion is based on this Notice, the Memorandum of Points and Authorities, Declaration of Richard A. Lesser, Concise Statement of Undisputed Material Facts filed with the court and upon such oral and documentary evidence as may be presented at the hearing of this matter.

Dated: Redondo Beach, California, December 21, 2005.



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RICHARD LESSER  
LESSER & ASSOCIATES, PLC  
Attorneys for Claimants/Respondents  
and Plaintiffs MATTHEW ISHAM, individually  
and as Guardian ad Litem for, HAYDEN ISHAM,  
a minor and ROXANNE BEST ISHAM